

REMARKS

Claims 1-68 are pending. In this Response, claims 1, 9, 13, 20, 23, 25, 32, 35-37, 39-41, 47, 49, 50, 53 and 54 have been amended, and claims 55-68 have been added.

I. SPECIFICATION OBJECTION

The Specification is objected to since the term corners is not defined in the Specification nor is it shown in the Drawings. Figure 3 shows the corners where first segment 80 and second segment 82 are connected to and adjacent to one another. Furthermore, the Specification has been amended to recite the corners. No new matter has been added.

Unfortunately, the Examiner also resorts to babbling that “The disclosure is . . . so incomprehensible as to preclude a reasonable search of the prior art by the examiner.”

If the Examiner has more objections to the Specification, rather than whine and complain about it, make excuses for his inability to find relevant prior art, and take cheap shots at the written description of the present invention, he may state these objections for the record.

Therefore, Applicant requests that these objections be withdrawn and these senseless disparaging remarks be retracted.

II. SECTION 102 REJECTIONS – LIN ET AL.

Claims 1-7, 10-12, 41-44 and 46-48 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Lin et al.* (U.S. Patent 6,633,457).

Lin et al. discloses voice coil 20 that includes first effective portion 21, second effective portion 22, first connective portion 23 and second connective portion 24.

Voice coil 20 has a substantially quadrilateral planar shape (col. 3, lines 40-41). Furthermore, first effective portion 21 and second effective portion 22 are linear, and first

connective portion 23 and second connective portion 24 are spaced from the longitudinal axis of the head stack assembly.

Claim 1 has been amended to recite “the coil array being a generally D-shaped loop including a first segment and a second segment, the first segment being positioned substantially perpendicular to the longitudinal axis of the E-block . . . and the second segment being curved where it intersects the longitudinal axis.” Claims 41 and 47 have been amended to recite similar limitations.

Lin et al. fails to teach or suggest this approach. First effective portion 21 and second effective portion 22 are not curved, and first connective portion 23 and second connective portion 24 do not intersect the longitudinal axis of the head stack assembly, as is clear from Figs. 2, 4 and 6-10.

Under 35 U.S.C. § 102, anticipation requires that each and every element of the claimed invention be disclosed in the prior art. *Akzo N.V. v. United States International Trade Commission*, 1 USPQ 2d 1241, 1245 (Fed. Cir. 1986), *cert. denied*, 482 U.S. 909 (1987). That is, the reference must teach every aspect of the claimed invention. M.P.E.P. § 706.02. Anticipation cannot be sustained by ignoring claim elements.

Therefore, Applicant requests that these rejections be withdrawn.

III. SECTION 102 REJECTIONS – TOHKAIRIN

Claims 13, 20, 23-30, 35 and 37-39 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Tohkairin* (U.S. Patent 5,963,398).

Tohkairin discloses a voice coil motor that includes movable coil 90, lower magnet 154 and upper magnet 156. Movable coil 90 includes right and left coil portions 90-1 and 90-2 and front and rear coil portions 90-3 and 90-4.

Movable coil 90 is a generally rectangularly shaped loop. Right and left coil portions 90-1 and 90-2 and front coil portion 90-3 have a U-shape, and right and left coil portions 90-1 and 90-2 and rear coil portion 90-4 have a U-shape.

Claim 23 has been amended to recite “the coil array is a generally D-shaped loop that includes a first segment and a second segment that are adjacent to one another, the first segment is substantially linear and the second segment forms an arc that has a substantially continuous curvature.” Claims 13, 20 and 37 have been amended to recite similar limitations.

Tohkairin fails to teach or suggest this approach. Right and left coil portions 90-1 and 90-2 and front coil portion 90-3 are not substantially linear and do not form an arc with substantially continuous curvature, and likewise, right and left coil portions 90-1 and 90-2 and rear coil portion 90-4 are not substantially linear and do not form an arc with substantially continuous curvature.

Under 35 U.S.C. § 102, anticipation requires that each and every element of the claimed invention be disclosed in the prior art. *Akzo N.V. v. United States International Trade Commission*, 1 USPQ 2d 1241, 1245 (Fed. Cir. 1986), *cert. denied*, 482 U.S. 909 (1987). That is, the reference must teach every aspect of the claimed invention. M.P.E.P. § 706.02. Anticipation cannot be sustained by ignoring claim elements.

Therefore, Applicant requests that these rejections be withdrawn.

IV. SECTION 103 REJECTIONS – TOHKAIRIN AND LIN ET AL.

Claims 14-19, 21, 22, 31, 36, 40 and 49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Tohkairin* in view of *Lin et al.*

These rejections are moot for the reasons set forth above.

V. NEW CLAIMS

Claim 55 is claim 8 rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner indicated claim 8 would be allowable if so rewritten. Therefore, claim 55 is allowable.

Claim 56 is claim 9 rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner indicated claim 9 would be allowable if so rewritten. Therefore, claim 56 is allowable.

Claim 57 is claim 45 rewritten in independent form including all limitations of the base claim and any intervening claims. The Examiner indicated claim 45 would be allowable if so rewritten. Therefore, claim 57 is allowable.

Claims 58-68 have been added to clarify and explicate various features of the invention. No new matter has been added.

VI. DRAWINGS

Formal drawings were filed on February 12, 2003, as confirmed by the return postcard date stamped on February 20, 2003. Applicant requests that the formal drawings be acknowledged in the next written communication.

VII. FEES

The fee is calculated below:


For	Claims Remaining After Amendment	Highest Number Previously Paid For		Extra Claims	Rate		Additional Fee
Total Claims	178	- 54	=	124	x \$18	=	\$2232
Independent Claims	14	- 11	=	3	x \$86	=	\$258
Multiple Dep. Claim	11	0			\$300	=	\$300
Total Fee						=	\$2790

Please charge the \$2790 fee and charge any underpayment and credit any overpayment to Deposit Account No. 13-0016/Q00-1101-US1.

VIII. CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance. Should any issues remain, the Examiner is encouraged to telephone the undersigned attorney.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 23, 2004.

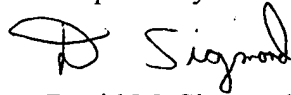


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11 / 23 / 04

Date of Signature

Respectfully submitted,



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